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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,154	01/20/2004	Grant L. Hutchison	0920.0061C	7744
46157	7590	12/15/2006	EXAMINER	
			BLACK, LINH	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/759,154	HUTCHISON ET AL.
	Examiner LINH BLACK	Art Unit 2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 September 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

This communication is in response to the Applicants' Response dated 9/28/06. Claims 1-18 are pending in the application. Claims 1, 7, and 13 are independent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agarwal et al. (6816853), and further in view of Weinberg et al. (US 2002/0087510).

As per claim 1, Agarwal et al. teach identifying a partition identifier in accordance with the partitioning schema – col. 1, lines 40-55; col. 3, lines 5-15; “control the access of particular network users or groups of users to particular network resources” – col. 1, lines 32-55; col. 3, lines 5-16; queries against partitioned a database table, indexing and pruning – col. 2, last paragraph; col. 4, line 37 to col. 5, line 20.

Agarwal et al. et al. do not explicitly disclose database catalog information; executing the query against the identified partition. Weinberg et al. teach partitioning of table in the database – abstract, pars. 0158-0160; cataloging of data in the database – pars.

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0006, 0037-0038, 0131; identifier of the partitions – par. 0057, 0061; schema and partitioning hierarchy – par. 0124.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Agarwal et al.'s teaching with Weinberg et al.'s teaching with to effectively search the database portion/partition that is most appropriate to the users' queries in order to save time and operation costs.

As per claims 2-3, Agarwal et al. teach queries against partitioned a database table, indexing and pruning – col. 2, last paragraph; col. 4, line 37 to col. 5, line 20. Agarwal et al. do not teach database catalog. Agarwal et al. teach local index for each partition – fig. 2; global index: fig. 3c; col. 4, lines 37-54. However, Weinberg et al. teach cataloging of data in the database – pars. 0006, 0037-0038, 0131. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Weinberg et al.'s teaching with Agarwal et al.'s teaching to effectively search the database portion/partition that is most appropriate to the users' queries in order to save time and operation costs.

As per claims 4-5, Agarwal et al. teach partition identifiers and executing queries – col. 4, lines 37-54; col. 6, line 50 to col. 7, line 48.

As per claim 6, Agarwal et al. teach forwarding the identified partition identifier to a client application requesting table data – col. 4, lines 37 to col. 5, line 65.

Claims 7-18 claim the same subject matter as of claims 1-6 and are rejected based on the same ground of rejection.

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LINH BLACK
Examiner
Art Unit 2163

December 07, 2006

Linh Black
MOHAMMAD ALI
PRIMARY EXAMINER